

The Bulldog Club of America, Inc.

Established 1890

Member of the American Kennel Club, Inc.

BULLDOG CLUB OF AMERICA DIVISION DISCIPLINE RULES & PROCEDURES

ORIGINAL – November 27, 2024

BCA National Secretary 2024-2025, Karen Zimny

The following Bulldog Club of America Division Discipline/Suspension/Expulsion Rules and Procedures are being provided to assist the Divisions in conducting uniform discipline consistent with the Bulldog Club of America's Constitution and By-Laws, Divisional By-Laws, Standard Operating Procedures (SOP), and Robert's Rules of Order (Current Edition). Intended as an appendix to the BCA's SOP.

I. DISCIPLINE¹

- A. If a Division receives a complaint that meets the criteria listed in the Division By-Laws Article VI, the Division Secretary shall promptly send a copy of each of the charges to each member of the involved Division Board or present them at the next quarterly meeting. The Division Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interest of The Bulldog Club of America or the Bulldog breed or a violation of BCA's Code of Ethics or Breeder's Code of Ethics.
 - i. If the Division Board considers that the charges do not allege conduct which would be prejudicial to the best interest of the Club or the Bulldog breed or BCA's Code of Ethics or Breeder's Code of Ethics, it may refuse to entertain jurisdiction and if it does so refuse, it shall refund the \$250 deposit to the complainant.
 - ii. If the board entertains jurisdiction of the charges, the \$250 deposit shall be retained by the Division pending the outcome of the charges. The Division Board shall set a date of hearing not less than 3 weeks or more than 12 weeks thereafter. The Division Secretary shall promptly send one copy of the charges to the charged member by certified mail together with a notice of the hearing and an assurance that the member charged may personally appear in his/her own defense and bring witnesses if s/he wishes. [\[See letter example A\]](#)
 - iii. During or after the hearing, in the event the charges are sustained, the deposit shall be refunded to the complainant.
 - iv. During or after the hearing, in the event the charges are not sustained, the deposit shall be forfeited to the Division.

II. HEARING

- A. The Division Board shall have complete authority to decide whether counsel may attend the hearing, but both parties shall be treated uniformly.²
- B. The Division Board shall hear testimony from accused and complainant, if present.

¹ BCA Division By-Laws Article VI, Section 2

² BCA Division By-Laws Article VI, Section 3

- C. After hearing all of the testimony and being presented with all of the evidence from both parties, if the Division Board wishes to sustain the charges, the Division Board may, by a majority vote of those present, suspend the member charged from all privileges of the Club for a period of not more than one year from the date of the hearing. If the Board deems the suspension punishment insufficient, it may, in addition to suspension, by a majority vote of those present, also recommend to the Division membership that the penalty be expulsion. If a motion to suspend the accused does not receive a majority vote of those present, the charges have not been sustained and the deposit shall be forfeited to the Division.
- D. The decision of the Division Board shall be communicated to the complainant and the accused, regardless of the outcome, within 5 days of the hearing.
- E. Should the accused be suspended, the Division Secretary shall notify the complainant, the accused, BCA National Treasurer, BCA National Secretary, AKC Executive Secretary, AKC Compliance Department, Bulldogger Editor, Division Treasurer, and BCA Webmaster within 5 days of the hearing. [\[see letter example B\]](#)
- F. If the accused is suspended, then provided that there has been no expulsion, the Division Treasurer shall send a membership renewal form to such member in the same manner and at the same time as such form would have been sent had there been no suspension. If such a suspended member wishes to renew his /her membership, he or she must pay the then current membership dues in a timely manner to the Division Secretary, regardless of the period of time of his or her suspension.

III. PURSUING EXPULSION

- A. If the Division Board pursues expulsion, it shall conduct a vote of the Division membership by secret ballot. After the ballots have been counted as provided herein, they shall be retained by the Division Secretary for a period of one year from the Tally Meeting (as defined below).
- B. No later than five (5) days after the hearing, the Division Secretary shall prepare and mail by certified mail a letter to the accused informing him/her of the outcome of the hearing, including the period of suspension, if applicable. If the Board is pursuing expulsion, the letter shall also provide the due date for the accused's material submission to be included in the Division's letter regarding the charges to its members as provided below. The accused shall be given an appropriate time to reply, no fewer than 5 days. [\[see letter example C\]](#)
- C. If the Board is pursuing expulsion of the member, then no later than twenty (20) days after the hearing, the Division Secretary shall prepare and distribute a letter to the Division's Members stating as follows. [\[see letter example D\]](#)
 - i. The purpose of the letter, the names of the accused and the complainant, and the Division's hearing date and outcome.
 - ii. The Board's recommendation of expulsion.
 - iii. A summary of the findings of the Board.
 - iv. Any communication the accused has submitted pursuant to these Rules.
 - v. The date the completed ballots are due back to the Division Secretary.

IV. BALLOTS

- A. The Division Secretary shall prepare a ballot in a format similar to the one provided as [Letter Example D.](#) The Ballots are to be mailed to all voting Members within the Division in good standing **a minimum of 45 days prior to the date that the ballots must be returned to the Division Secretary.**

Ballot requirements are as follows:

The notification packet from the Division Secretary to Division members shall contain the following:

1. Transmittal letter describing the purpose of the packet and clearly stating the date by which the Division Secretary must receive the Ballot back (see Attachment "C" for Member letter)
 2. Membership Record/Vote Authorization (see Attachment "E") setting forth the Member's name, address, phone number, email address (if any) and a signatory line for the Member's execution. Vote Authorization to be returned to the Division Secretary as described below.
 3. Ballot [\[See Ballot example\]](#)
 4. Two envelopes; one marked only with the word **BALLOT**, the other addressed for delivery to the Division Secretary and the return address on the that envelope should be that of the Secretary.
 5. Specific instructions directing the Member to:
 - a. Provide the requested membership information, vote by marking the Ballot, and sign the Ballot Authorization Form where indicated as evidence of their vote.
 - b. Enclose and seal the completed Ballot in the envelope marked Ballot and put nothing else in that envelope.
 - c. Place the sealed Ballot Envelope and the Ballot Authorization Form in the envelope addressed to the Division Secretary.
 - d. Return the envelope (and its contents) addressed to the Division Secretary to arrive no later than the date indicated by the Division Secretary for its receipt. Postage for mailing the envelope shall be affixed to the envelope at the expense of the member.
- i. Upon receipt of the return addressed envelopes, the Division Secretary shall accumulate the returned envelopes and present them unopened to the Tally Committee appointed by the Division Board, at the Tally Meeting, each as defined below.
- B. Any voting member is eligible to vote if they have been voted into membership prior to the day on which the ballots are mailed, unless they are excluded from voting by the BCA Constitution and By-Laws (for example, if they are ~~then~~ subject to a suspension of privileges by BCA or AKC).

V. TALLY MEETING

- A. If pursuing expulsion, the Division Board shall set the date of a meeting at which the votes shall be counted (the "Tally Meeting"). The Tally Meeting shall be held as soon as practical after the deadline for receiving the Ballots, but no later than 90 days after the hearing.
- B. At the Tally Meeting, the Division Secretary shall present the unopened returned ballot envelopes to the Tally Committee assigned by the Division Board to tally the votes. The Board shall appoint as a Tally Committee at least three but not more than seven BCA members in good standing, none of whom shall have been a witness or otherwise directly involved in the conduct that is the subject of the charges. The Tally Committee shall tally the votes and present the results to the Board. The Board may in its sole discretion count the votes themselves, but a minimum of 3 individuals from the Board shall be the minimum number required. No complainant or accused shall be members of the Tally Committee.

- C. The Tally Committee shall open the envelopes, verify the Voter Authorization against the master membership list, provided by the Division Treasurer, then open and tally the ballots without documenting in any manner the identity of the Member voting.
- i. In the event a ballot is illegible and/or incorrectly completed, or if there is a question regarding the validity of a Ballot Authorization form, that envelope or ballot shall be set aside for subsequent review at the end of the tallying. Items that may indicate an incorrectly completed ballot would be, but not be limited to:
 1. Both options indicated.
 2. Neither option indicated.
 3. Unclear choice.
 4. No signed Voter Authorization included with the ballot.
 - ii. Once the tallying of legible and correctly completed ballots is completed, the Tally Committee will review the Ballots set aside and make a final determination as to their validity.
 - iii. Those determined to be valid will be tallied; those determined to be invalid will not be tallied.
 - iv. Two thirds of the returned ballots must be voted in favor of expulsion for the action to carry(i.e., ~~not~~ a simple majority).
- D. The Division Secretary shall notify the Board of voting results. If expulsion of the member passed, the Division Secretary shall inform the following of such expulsion: BCA National Treasurer, BCA National Secretary, AKC Executive Secretary, AKC Compliance Department, Bulldogger Editor, Division Treasurer, and BCA Webmaster [\[See letter example F\]](#)
- E. Within five days after the Tally Meeting, the Division Secretary shall send results of the expulsion vote to the complainant and the accused. If the result is expulsion, the results shall be sent to the accused by certified mail.
- F. The Division Secretary shall inform the membership ~~of~~ the result of the vote by communicating only either (1) that expulsion passed or (2) that expulsion did not pass.. The method is at the discretion of the Division Secretary but shall be reported to the Division members within 10 days of the Tally Meeting.
- G. ~~The~~ master list of Members voting, and all ballots (valid and invalid) shall be retained by the Division Secretary for one year ~~from~~ the Tally Meeting.

[On BCA Division Letterhead] [LETTER EXAMPLE A](#)

DATE

SUBJECT NAME:

On [DATE] Bulldog Club of America Division XX Board met, reviewed a complaint, and determined there was merit to hold a hearing regarding allegations brought against you by [NAME].

This letter provides notice there is a hearing scheduled [DATE] at [TIME] in [CITY] at [LOCATION AND ADDRESS]. [PROVIDE OTHER HELPFUL INFORMATION ON GETTING TO THE LOCATION SUCH AS ROOM NUMBER, ETC .]

You may personally appear in your own defense and bring witnesses, as provided in Division By-Laws, Article VI, Section 2 b. The Division VI Board has chosen to not [OR ALLOW COUNSEL] allow counsel, which applies to both parties.

Sincerely,

Secretary
Bulldog Club of America, Division XX

Cc: COMPLAINANT
Cc: Division VI Board Members

Enclosure: Complaint

LETTER EXAMPLE C

[On BCA Division Letterhead]

NAME OF SUSPENDED

ADDRESS OF SUSPENDED

DATE

(NAME):

The Bulldog Club of America Division xx Board held a hearing on DATE OF HEARING. At that meeting, the board of directors voted to suspend your Bulldog Club of America membership for (LENGTH), to end on XX/XX/20XX. [If pursuing expulsion add next line.] Please note the board is also pursuing expulsion.

As stated in Article VI, section 3 of the Division By-Laws, you may provide communication to be included in the Division Board's report. Please provide your communication by DATE. I can accept communication via mail or e-mail.

Section 3

The Division board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained after hearing all the evidence and testimony presented by complainant and defendant, the Division Board may by a majority vote of those present suspend the defendant from all privileges of the Club for not more than one year from the date of the hearing. And, if it deems the suspension punishment insufficient, it may also recommend to the Division membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to communicate his position to the Division membership by whatever means he chooses. If the defendant's communication is to be included with the Division Board's report to the Division membership, it must be provided in a timely manner and not exceed five letter size pages. Immediately after the Division Board has reached a decision, its findings shall be put in written form and filed with the Division Secretary. The Division Secretary, in turn, shall notify each of the parties of the Board's decision and penalty, if any.

Sincerely,

Secretary

Bulldog Club of America, Division XX

[ON BCA DIVISION LETTERHEAD] [LETTER EXAMPLE D]
DATE

Division XX Members,

DATE

Division XX Member,

The Bulldog Club of America Division XX Board held a hearing on DATE. At that meeting, the board of directors voted to suspend (NAME OF SUBJECT) Bulldog Club of America membership for (reasons why, possibly violations of the Member Code of Ethics), to end on xx/xx/xxx.

The board also recommended pursuing expulsion of NAME. This document is a summary of the findings of the board.

As stated in Article VI, section 3 of the Division By-Laws, (NAME) was given the option of providing communication to include in this report, with a deadline of XX/XX/XXXX. As of XX/XX/XXXX the board has failed to receive anything. (OR) it is included.

Article VI, Discipline, Section 4

Expulsion of a member from the Club may be accomplished only by a mailed ballot vote of the Division membership following a Division Board hearing and upon the Division Board's recommendation as provided in Section 3 of this Article. The Division Secretary shall report the Division Board's findings to the Division membership, which shall vote by mail ballot on the proposed expulsion. A two-thirds vote of those voting shall be necessary for expulsion. If the expulsion is not voted, the Division Board's suspension shall not be affected.

Respectfully submitted,

Secretary
Bulldog Club of America, Division xx

Enclosures: Ballot Authorization Form, Ballot, Ballot Envelope, Pre-addressed Return Envelope

Provide a summary for the facts of the case.

The board found (SUBJECT) in violation of (whatever the violations, possibly the Bulldog Club of America code of ethics. The board also found judging, or attempting to influence judging, detrimental to the breed, the sport, and the BCA's desire to improve the breed.)

Again, to summarize, The Bulldog Club of America Division XX Board voted to suspend (SUBJECT)'s Bulldog Club of America membership for violations of the Member Code of Ethics, to end on XX/XX/XXXX.

The board also recommended pursuing expulsion of [SUBJECT]. Please vote according to the guidelines below and return your ballot by DATE.

Each BALLOT and signed BALLOT AUTHORIZATION FORM must be returned in the pre-addressed return envelope provided.

IMPORTANT! All Ballots and Ballot Authorization Forms must be in the hands of the Division XX Secretary by XX/XX/XXX. Only Ballots received by the Division XX Secretary by the deadline are eligible for counting. Any ballots received after XX/XX/XXXX will not be eligible.

Note: If, because of some delay, it is necessary to expedite the delivery of your Ballot/Ballot Authorization Form to meet the deadline, please send the completed pre-addressed return envelope, as instructed above, to the same address via USPS Express mail, Federal Express, UPS or similar service. Do not copy ballot and email or FAX.

Please put only your ballot in the ballot envelope.

Please vote carefully, as a ballot incorrectly marked or incorrectly mailed, will be discarded.

[BALLOT AUTHORIZATION EXAMPLE]

BULLDOG CLUB OF AMERICA DIVISION [XX]
BALLOT AUTHORIZATION FORM

I certify that I am a Member in good standing of the Bulldog Club of America, Division [XX] as of the date indicated below and eligible to vote.

[Name of Member]_____

[Address Member]_____

[Phone Number Member]_____

[Email address (if available)]_____

Signature: _____

Date: _____

NOTE: Name and address must be provided above for the ballot to be valid and counted.

NOTE: Do not put this BALLOT AUTHORIZATION FORM in the Ballot envelope. Enclose it separately in the return envelope.

EXAMPLE E
BCA DIVISION xx EXPULSION
(Name of person)
OFFICIAL BALLOT
Return Deadline: xx/xx/xxxx
Place an “X” next to your choice.

VOTE FOR ONLY ONE

_____I vote YES to expel (NAME) from the Bulldog Club of America.

_____I vote NO to expel (NAME) from the Bulldog Club of America.

EXAMPLE LETTER B

[On BCA Division Letterhead]

DATE

AKC SECRETARY:

The Bulldog Club of America Division [XX] board has voted to suspend [NAME] for [LENGTH].
[AND IF YOU ARE PURSUING EXPULSION THE NEXT SENTENCE] The board is also pursuing expulsion.

Please see attached documentation regarding such.

I have previously emailed an electronic copy.

Sincerely,

Secretary
Bulldog Club of America, Division XX

Cc: Compliance Division, Bulldog Club of America President, Bulldog Club of America Division XX Board Members

EXPULSION LETTER EXAMPLE

[ON BCA DIVISION LETTERHEAD]

SUBJECTS NAME

SUBJECT ADDRESS

DATE

SUBJECT:

The Bulldog Club of America Division XX Board/Tally Committee counted votes returned by Bulldog Club of America Division XX members on DATE. (The result of the vote was expulsion, effective immediately. **OR** (The result was no expulsion. Your suspension remains in effect, end date xx/xx/xxxx.)

SECTION 4. The Division Secretary shall report the Division Board's findings to the Division membership, which shall vote by ballot on the proposed expulsion. In such case, the suspension shall not restrict the rights of the member charged to communicate his position to the Division membership by whatever means he chooses. If the member charged provides his communication in a timely manner in five (5) or fewer pages, his communication shall be included with the Division Board's report to the Division membership. A two-thirds vote of those Division members voting shall be necessary for expulsion. If the expulsion is not voted, the Division Board's suspension shall not be affected.

Sincerely,

Secretary

Bulldog Club of America, Division xx

LETTER EXAMPLE F

[On BCA Division Letterhead]

AKC SECRETARY
AKC
101 Park Ave
New York, NY 10178-0002

AKC Secretary
Date

The Bulldog Club of America Division (DIVISION NUMBER) members have voted to expel (PERSON EXPELLED).

The letter included is the formal communication to (PERSON EXPELLED).

Sincerely,

Secretary
Bulldog Club of America, Division (NUMBER)

Cc: Compliance Division, Bulldog Club of America President, Bulldog Club of America Division (NUMBER) Board Members

Enc: Copy of expulsion letter